

IV. DEFENDANT INFORMATION

To the best of your ability, provide the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are identical to those listed in the caption. Attach additional pages as necessary.

Defendant 1:

Kathy Hochul
 First Name Last Name Shield #
Governor of NYS
 Current Job Title (or other identifying information)
 Current Work Address
Erie, Buffalo NY
 County, City State Zip Code

Defendant 2:

John Doe
 First Name Last Name Shield #
Erie county commissioner of corrections
 Current Job Title (or other identifying information)
 Current Work Address
Erie, Buffalo NY
 County, City State Zip Code

Defendant 3:

John Doe
 First Name Last Name Shield #
Deputy Sheriff of Erie county
 Current Job Title (or other identifying information)
 Current Work Address
Erie, Buffalo NY
 County, City State Zip Code

Defendant 4:

John Doe
 First Name Last Name Shield #
Assistant Deputy Sheriff of Erie county
 Current Job Title (or other identifying information)
 Current Work Address
Erie, Buffalo NY
 County, City State Zip Code

V. STATEMENT OF CLAIM

Place(s) of occurrence: Erie County Holding Center / Echo Dome / Foxcroft / Echo Long

Date(s) of occurrence: on or around August 19th 2023 to February 12th 2024

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and how each defendant was personally involved in the alleged wrongful actions. Attach additional pages as necessary.

I was Arrested brought to the Echtc on August 19th 2023. I was refused proper Hygiene and was forced to remain in underwear that I was Arrested in for my whole time in the Echtc. I then was given a Dirty towel upon my intake at the Echtc on Aug 19th 2023 and again was forced to use towel for my full time at the Echtc. I was given 1 t-shirt 1 pair pants and was only given Fresh change clothes once per week which I've suffered from rashes and bumps over my body due to lack of cleanliness. On Echo Dome in the Echtc I've suffered Breathing problems due to windows being full of dust and grime windows were left open during winter months and was not given any blanket to keep warm. The ceiling in Echo Dome in the Echtc Leak rust colored water almost daily which made the Air Hard to Breathe. The mold and mildew in the showers on Echo Dome in the Echtc which the water was cold I was prevented from my daily Hygiene routine daily. Walls Leak rust colored liquid and would Flood floors

ECHC Has made copies of my Legal and personal mail on several occasions and was forced to agree or not get Any mail from my Attorney or Any personal mail. All copies made with the Echc copy machine in fact possess a memory card that stores highly private and case related material. Which is in violation of My rights of Attorney client privilege

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

Rashes, bumps on skin, Difficult Breathing at time, Mental Anguish, Anxiety Depression, Congestion, Stress

VI. RELIEF

State briefly what money damages or other relief you want the court to order.

I am asking \$3,000,000 in ~~in~~ Under the Circumstances of Cruel and Unusual punishment, Neglect, Blatant Disregard of Attorney client privilege and lack of proper medical treatment and care. Failure of the Sheriff's Dept. to submit Any or All of Hodelin grievances. Under 5th, 8th and 14th Amendment constitutional Jurisprudence for; Failure to provide a safe, secure, Health environment for detainees. Deliberate indifference, Careless disregard for Religious and Human rights of those detained within City Penal system. Failure to properly supervise, protect, inspect and create a policy or enforce that routinely provides the proper Attention these issues Address. All are ~~seen~~ in Individual, official capacity Health prison condition

I am also asking 6,000,000 in Punitive Damages.

VII. PLAINTIFF'S CERTIFICATION AND WARNINGS

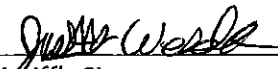
By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

I also understand that prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions, 42 U.S.C. § 1997e(a), and that my case may be dismissed if I have not exhausted administrative remedies as required.

I agree to provide the Clerk's Office with any changes to my address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

<u>4/12/2024</u>		<u></u>
Dated		Plaintiff's Signature
<u>Justin</u>	<u>D.</u>	<u>Wesolek</u>
First Name	Middle Initial	Last Name
<u>750 Berne Rd. P.O. Box 800 9300 Lake Avenue, Braxton</u>		
Prison Address		
<u>Chautauque</u>	<u>NY</u>	<u>12458 14716</u>
County, City	State	Zip Code

Date on which I am delivering this complaint to prison authorities for mailing: _____

IV. DEFENDANT INFORMATION.

Defendant 5:

John

First Name

Doe

Last Name

Erie county Holding center maintenance Dept.

current Job title

current work Address

Erie, Buffalo

county, city

NY

state

zip code

Defendant 6:

John

First Name

Doe

Last Name

Erie county Holding center plumbing Dept.

current Job title

current work Address

Erie, Buffalo

county, city

NY

state

zip code

Defendant 7:

John

First Name

Doe

Last Name

Erie county Holding center Dorm Deputy

current Job title

current work address

Erie, Buffalo

county, city

NY

state

zip code

Defendant 8:

John

First Name

Doe

Last Name

Erie county Holding center Health and safety Dept.

current Job title

current work Address

Erie, Buffalo

county, city

NY

state

zip code

IV. DEFENDANT INFORMATION

Defendant 9:

John

First Name

Doe

Last Name

Grievance coordinator

Current Job Title

Current Work Address

Erie, Buffalo

Country, City

NY

State

Zip Code

Defendant 10:

John

First Name

Doe

Last Name

Law Library of Erie county Holding center

Current Job Title

Current Work Address

Erie, Buffalo

Country, City

NY

State

Zip Code

I. LEGAL BASIS FOR CLAIM

State below the federal legal basis for your claim, if known. This form is designed primarily for prisoners challenging the constitutionality of their conditions of confinement; those claims are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

☒ Violation of my federal constitutional rights

☐ Other: _____

II. PLAINTIFF INFORMATION

Each plaintiff must provide the following information. Attach additional pages if necessary.

Justin .D Wesolek
First Name Middle Initial Last Name

State any other names (or different forms of your name) you have ever used, including any name you have used in previously filing a lawsuit.

Erle county Holding center ICN#143453/2480652
Prisoner ID # (if you have previously been in another agency's custody, please specify each agency and the ID number (such as your DIN or NYSID) under which you were held)

9300 Lake Avenue P.O. Box T Brocton, NY 14716
Current Place of Detention

Lakeview Shack 9300 Lake Avenue, Brocton, NY, 14716
Institutional Address

Chautauque NY 14716
County, City State Zip Code

III. PRISONER STATUS

Indicate below whether you are a prisoner or other confined person:

☐ Pretrial detainee

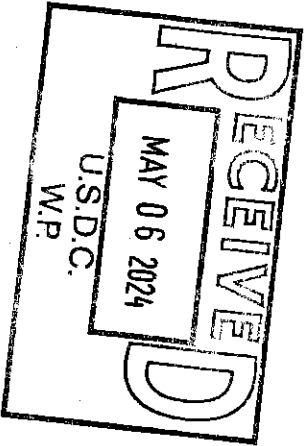
☐ Civilly committed detainee

☐ Immigration detainee

☒ Convicted and sentenced prisoner

☐ Other: _____

Justin Wesolek
D#24B0652
9300 Lake Ave
Brooklyn, NY 11476



7019 2280 0001 2422 9535

Clerk of Court U.S. District Court
Charles L. Briant Jr.
300 Quarropas St.
White Plains, NY 10601